

## 495.362 Retroactive approval of FFP with an effective date of February 18, 2009.

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For administrative activities performed by a State, without obtaining prior approval, which are in support of planning for incentive payments to providers, a State may request consideration of FFP by recorded request in a HIT advance planning document or implementation advance planning document update. In such a consideration, the agency takes into consideration overall Federal interests which may include any of the following:

- (a) The acquisition must not be before February 18, 2009.
- (b) The acquisition must be reasonable, useful, and necessary.
- (c) The acquisition must be attributable to payments for reasonable administrative expenses under section 1903(a)(3)(F)(ii) of the Act.